

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

FILED

AUG 25 2016

U.S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROLAND HOEFFENER,

Defendant.

4:16CR374 JAR/PLC

INDICTMENT

COUNT I

The Grand Jury charges that:

At all times pertinent to the charges in this indictment:

1. Federal law defined the term:

(a) "minor" to mean any person under the age of eighteen years (18 U.S.C.

§ 2256(a));

(b) "sexually explicit conduct" to mean actual or simulated

(i) sexual intercourse, including genital-genital, oral-genital, anal-genital, or oral-anal, whether between persons of the same or opposite sex,

(ii) bestiality,

(iii) masturbation,

(iv) sadistic or masochistic abuse, or

- (v) lascivious exhibition of the genitals or pubic area of any person (18 U.S.C. §2256(2)(A)); and
- (c) "computer" to mean an electronic, magnetic, optical, electrochemical or other high speed data processing device performing logical, arithmetic or storage functions, including any data storage facility or communications facility directly related to or operating in conjunction with such device. (18 U.S.C. §2256(6));
- (d) "child pornography" to mean any visual depiction, including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where--
 - (A) the production of such visual depiction involves the use of a minor engaging in sexually explicit conduct; or
 - (C) such visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct (18 U.S.C. §2256(8)).

2. The "Internet" was, and is, a computer communications network using interstate and foreign lines to transmit data streams, including data streams used to store, transfer and receive graphic files.

3. Between on or about, December 1, 2012, and on or about April 30, 2013, in the Eastern District of Missouri, and elsewhere,

ROLAND HOFFENER,

the defendant herein, did knowingly receive videos and images of child pornography over the

internet, a means or facility of interstate commerce, and these videos and images were visual depictions that involved the use of a minor engaging in sexually explicit conduct and such visual depictions were of a minor engaging in sexually explicit conduct, including but not limited to the following:

- 1) "spread.em.chan12\125943702341" – a graphic image file of a prepubescent female in a lascivious display of her genitals;
- 2) "spread.em.chan12\125946249912" – a graphic image file of prepubescent female in a lascivious display of her genitals;
- 3) "Carved [1789678645].jpeg" – a graphic image file of a prepubescent female minor in a lascivious display of her genitals;
- 4) "Carved [183447474].jpeg" – a graphic image file of a prepubescent minor male with a penis near his mouth;
- 5) "Carved [494706202].bmp" – a graphic image file of prepubescent minor female's mouth touching a penis;
- 6) "Carved [21762056].jpeg" – a graphic image file of a prepubescent minor female in a lascivious display of her genitals while her legs are bound with ropes.

In violation of Title 18, United States Code, Section 2252A(a)(2).

COUNT II

The Grand Jury further charges that:

1. The allegations contained in paragraphs one and two of Count I of this Indictment are incorporated by reference as if fully set forth herein.
2. Between on or about January 1, 2010, and on or about April 30, 2013, in the Eastern

District of Missouri, and elsewhere,

ROLAND HOFFENER,

the defendant herein, did knowingly possess material that contains an image and video of child pornography that was produced using materials that traveled in interstate and foreign commerce, to wit, Maxtor Brand Network Attached Storage Device, that was produced outside of Missouri and therefore has traveled in interstate and foreign commerce, and said storage device contained child pornography, including but not limited to the following:

- 1) "DSCF0371.jpg" -- a graphic image file of a prepubescent minor female being penetrated by an adult male;
- 2) "DSCF0362.jpg" -- a graphic image file of a prepubescent minor female with an adult penis near her genitals;
- 3) "mjblks0663_CIMG_CIMG1463.JPG" -- a graphic image file of a prepubescent minor male performing oral sex on a male;
- 4) "mjblks0172_Dennis_137.jpg" -- a graphic image file of a prepubescent minor male in a lascivious display of his genitals.

In violation of Title 18, United States Code, Section 2252A(a)(5)(B).

COUNT III

The Grand Jury further charges that:

1. The allegations contained in paragraphs one and two of Count I of this Indictment are incorporated by reference as if fully set forth herein.

2. Between on or about April 1, 2013, and on or about April 30, 2013, in the Eastern District of Missouri, and elsewhere,

ROLAND HOFFENER,

the defendant herein, did knowingly possess material that contains an image and video of child pornography that was produced using materials that traveled in interstate and foreign commerce, to wit, a Buffalo Brand Network Attached Storage Device, that was produced outside of Missouri and therefore has traveled in interstate and foreign commerce, and said storage device contained child pornography, including but not limited to the following:

- 1) "969478.jpg-{65d0d9a3-f1bc-4f1c-8467-6f73ef06763e}.dtapart" – a graphic image file of a prepubescent minor female in a lascivious display of her genitals;
- 2) "979633.jpg-{c0f142ad-0208-40a1-9edc-970b79d2f1fd}.dtapart" – a graphic image file of a prepubescent female performing oral sex on a male;
- 3) "Huiuko sucks and fucks-2.avi" – a graphic video file of a prepubescent minor female being penetrated;
- 4) "Chinamovie B09 Fucking OUCH!.avi" – a graphic video file of a prepubescent minor male being anally penetrated.

In violation of Title 18, United States Code, Section 2252A(a)(5)(B).

A TRUE BILL.

FOREPERSON

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